

REMARKS

Claims 1-16 are pending in the present application. Claims 17-20 have been canceled. Reconsideration of the claims is respectfully requested.

I. 35 U.S.C. § 121

The Office Action requires a restriction to one of the following sets of claims:

- I. Claims 1-14;
- II. Claims 15-16;
- III. Claims 17-19; and
- IV. Claim 20.

In response to the Restriction Requirement, Applicant elects invention I, claims 1-14, with traverse. In this case, it is believed that invention I and invention II are not distinct as believed by the examiner. If the examiner were hypothetically able to find prior art that rendered the invention covered by claim 1 as unpatentable, this same prior art would also render claim 15 unpatentable because claim 15 is directed towards a computer program product that causes steps to be executed in which those steps are identical to the steps set forth in the method in claim 1. Further, the invention in II is not an apparatus for its practice. Instead, the invention is a computer program product, which may be used to initiate a different apparatus to execute the steps recited in the claims. In other words, the computer program product in claim 15 does not execute these steps. Instead, this apparatus, the computer program product, is used by another apparatus, such as a processor, to execute steps. In addition, the claim method may not be performed by hand with pencil and paper because these steps necessarily require interaction with a network. Further, as amended, the method in I, as amended is executed by a computer, which specifically excludes performing the method by hand. Therefore, these processes are not practiced by another materially different apparatus or by hand. Both I and II are directed toward a method and apparatus that are directed towards a computer.

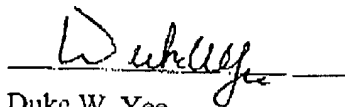
As a result, the restriction of inventions I and II is improper. Consequently, the restriction of inventions I and II have been overcome.

Claims 17-20, to non-elected inventions I, are hereby canceled without prejudice or disclaimer. It is respectfully urged that the subject application be reconsidered.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: 5/23/03

Respectfully submitted,



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